EXHIBIT A

Case 1:24-cv-02348-JRR Document 1-1 Filed 08/13/24 Page 2 of 16



CIRCUIT COURT FOR BALTIMORE CITY.

MARYLAND

CIVIL DIVISION 111 N. Calvert Street

Baltimore, Maryland 21202

Main: 410-333-3733 Civil: 410-333-3722 Criminal: 410-333-3750

Family: 410-333-3709/3738 Juvenile: 443-263-6300



To: THE CHEESECAKE FACTORY RESTAURANTS INC.

26901 MALIBU HILLS ROAD CALABASAS, CA 91301

Case Number:

C-24-CV-24-000356

Other Reference Number(s):

Child Support Enforcement Number:

CHINO WALTERS, ET AL. VS. THE CHEESECAKE FACTORY RESTAURANTS INC.

Issue Date: 7/31/2024

WRIT OF SUMMONS

You are summoned to file a written response by pleading or motion, within 60 days after service of this summons upon you, in this court, to the attached complaint filed by:

CHINO WALTERS; TAMARA WALTERS; ASHLYN WALTERS; ISIAH WALTERS;

CHEYENNE WALTERS

9889 Frankfurt Drive

Waldorf, MD 20603; 9889 Frankfurt Drive

Waldorf, MD 20603

This summons is effective for service only if served within 60 days after the date it is issued.

Xavier A. Conaway

Clerk of the Circuit Court

To the person summoned:

Failure to file a response within the time allowed may result in a judgment by default or the granting of the relief sought against you.

Personal attendance in court on the day named is NOT required.

It is your responsibility to ensure that the court has your current and correct mailing address in order to receive subsequent filings and notice in this case.

Instructions for Service:

- 1. This summons is effective for service only if served within 60 days after the date issued. If it is not served within the 60 days, the plaintiff must send a written request to have it renewed.
- 2. Proof of Service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.

Case 1:24-cv-02348-JRR Document 1-1 Filed 08/13/24 Page 3 of 16 page 3

Chino Walters, et al. vs. The Cheesecake Factory Restaurants Inc.

Case Number: C-24-CV-24-000356

SHERIFF'S RETURN (please print)

	ID#	of the
Se	erving Sheriff's Name	
County Sheriff	's office present to the court that I:	
(1) \$6	erved	
(1) 50		Name of person served
on	o.t	Location of service
	Date of service	Location of service
	by	Manner of service with the following:
		Manner of service
	Summons	Counter-Complaint
	Complaint	☐ Domestic Case Information Report
	Motions	Financial Statement
	Petition and Show Cause Order	☐ Interrogatories
	Other	. <u></u> _
	Plo	ease specify
(2) Wa	s unable to serve because:	
` ,	Moved left no forwarding address	No such address
	Address not in jurisdiction	Other
		Please specify
Sheriff fee: \$		waived by
	Date	Signature of serving Sheriff

Instructions to Sheriff's Office or Private Process Server:

- 1. This Summons is effective for service only if served within 60 days after the date issued. If it is not served within 60 days, the plaintiff must send a written request to have it renewed.
- 2. Proof of Service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
- 3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
- 4. If this summons is served by private process, process server shall file a separate affidavit as required by Rule 2-126(a).

Case 1:24-cv-02348-JRR Document 1-1 Filed 08/13/24 Page 4 of 16 Baltimore City Case Number: C-24-CV-24-000356

Chino Walters, et al. vs. The Cheesecake Factory Restaurants Inc.

- Return of served or unserved process shall be made promptly and in accordance with Maryland Rule 2-126.
 If this notice is served by private process, process server shall file a separate affidavit as required by Maryland Rule 2-126(a).

Docket: 5/16/2024 12:50 PM; Submission: 5/16/2024 12:50 PM Envelope: 16473968

IN THE CIRCUIT COURT OF MARYLAND FOR BALTIMORE CITY

CHINO WALTERS and TAMARA WALTERS as parents and next friends of A.W., I.W. and C.W. 9889 Frankfurt Drive Waldorf, MD 20603

and

CHINO WALTERS and TAMARA WALTERS 9889 Frankfurt Drive Waldorf, MD 20603

Plaintiffs

vs.

Case No: C-24-CV-24-000356

THE CHEESECAKE FACTORY RESTAURANTS, INC. 26901 Malibu Hills Road Calabasas, CA 91301

Serve On: CSC-Lawyers Incorporating Service 7 Paul Street Suite 820 Baltimore, MD 21202

Defendant

COMPLAINT

Comes now the Plaintiffs, Chino and Tamara Walters, as parents and next friends of A.W., I.W. and C.W., their minor children, and on behalf of themselves, by and through her counsel, Gregory R. Singleton, Esq., brings suit against the Defendant, The Cheesecake Factory Restaurants, Inc.(hereinafter referred to as "Defendant") and states as follows:

PARTIES

1. Plaintiffs are residents of Charles George's County, Maryland.

2. Defendant is a foreign corporation based in Calabasas, CA.

JURISDICTION AND VENUE

- 3. Jurisdiction is vested in this court pursuant to MD Code Ann., Cts. & Jud. Proc., § 1-501.
- 4. Personal Jurisdiction is proper pursuant to MD Code Ann., Cts. & Jud. Proc., § 6-102.
- 5. Venue is proper pursuant to MD Code Ann., Cts. & Jud. Proc., § 6-201(a) because the defendant carries on regular business in the State of Maryland and in Baltimore City.

FACTS COMMON TO ALL COUNTS

- 6. Plaintiffs, Chino and Tamara Walters are the parents of the minor Plaintiff, A.W..
- 7. On or about November 21, 2021, the plaintiffs went to the Defendant's Montgomery Mall location in Bethesda Maryland, for a celebratory dinner.
- 8. The Plaintiffs were seated in a booth with A.W. seated closest to the booth opening.
- Prior to ordering dinner, Plaintiffs Chino and Tamara Walters asked for a cup of hot water.
- 10. An employee waitress of the Defendant indicated that she would retrieve the hot water and return to the table.
- 11. Upon returning to the table the Defendant's employee, spilled an entire kettle of hot water on A.W..

- 12. Immediately A.W. began to scream, "help, help," and cry uncontrollably from the pain of the hot water.
- 13. Plaintiff's Chino and Tamara Walters began frantically trying to assist their child.
- 14. Plaintiff Tamara Walters screamed "that's hot water."
- 15. Plaintiff, Chino Walters, jumped up and grabbed A.W. and took her to the next booth.
- 16. I.W. and C.W., the siblings of A.W., jumped up scared and in shock.
- 17. Immediately A.W.'s skin began to visibly peel.
- 18. A.W. began screaming "mommy I don't want to die" and "why did this happen to me."
- 19. Witnesses in the restaurant began to try to assist the Plaintiff's.
- 20. Defendant's employee stood there doing nothing and not trying to assist.
- 21. At that point, Plaintiff Chino Walters asked to speak to a manager while attempting to calm and comfort A.W. and the entire Walters family, who were visibly upset.
- 22. Another Defendant employee, who identified himself as an assistant manager then came over to the Plaintiff's table.
- 23. Plaintiff Chino Walters explained what happened to the assistant manager only to hear him nonchalantly say "well what do you want me to do."
- 24. Plaintiff Chino Walters then asked to speak to the Defendant's General Manager, who after hearing what happened and denying the Plaintiffs request to look at what happened to A.W., took an incident report and said," thank you and I hope your daughter feels better" and simply walked away, without offering any assistance.

- 25. Plaintiff's other children visibly shocked and upset, began asking "Why aren't they (the managers) doing anything?."
- 26. Defendant employees simply returned back to work.
- 27. Plaintiff's then called 911 for emergency services.
- 28. While waiting for the ambulance, other patrons, came over to assist the Plaintiffs.
- 29. No Defendant employee offered any assistance to the Plaintiff's.
- 30. Shortly thereafter an ambulance arrived to the continued sounds of Plaintiff A.W. screaming in pain.
- 31. Plaintiff Tamara Walters rode with A.W in the ambulance, while Plaintiffs Chino Walters, I.W. and C.W. followed.
- 32. Upon entry into the ambulance, an EMT informed Plaintiff Tamara Walters that they (the EMT's) wanted to take off A.W.'s clothes to see the injuries.
- 33. Upon doing so and seeing the injuries to A.W., the EMT said "this changes everything."
- 34. In the ambulance, A.W. was physically shaking and kept repeating "I don't want to die mommy."
- 35. The EMT's then informed Plaintiff Tamara Walters that they were going to Suburban Hospital in Bethesda, Maryland.
- 36. Upon arriving at Suburban hospital, A.W. was rushed into the emergency room where the rest of her clothes were removed.
- 37. The attending physician at Suburban treated A.W. for first and second burns to her shoulders, back and buttocks by removing the burned skin, treating the burns and dressing A.W.'s burns.

- 38. The attending physician at Suburban communicated to Plaintiff's, "Oh my God, this is unbelievable, I can't imagine being in your shoes."
- 39. Subsequently, the hospital took pictures of A.W.'s burns and diagnosed A.W. with second degree burns to her shoulders, back and buttocks.
- 40. Hours later, A.W. was released and the Plaintiffs were advised to follow-up with Children's Hospital.
- 41. On or about November 24, 2021, A.W. went to Children's National Hospital Burn Unit ("CNHBU").
- 42. The attending physician, treated A.W.'s injuries by debriding and dressing them.
- 43. Plaintiff Tamara Walters advised the treating physician of her distress, feelings of helplessness and A.W.'s fear, distress, decreased appetite, pain and sleeplessness.
- 44. Plaintiff's A.W. and Tamara Walters also demonstrated anxious, tearful and scared behavior.
- 45. On or about November 24, 2021, the Plaintiffs were referred to the Children's National Hospital Burn Unit Psychology Unit ("CNHBPU").
- 46. On that same day of November 24, 2021, A.W. and Plaintiff Tamara Walters were seen by at CNHBPU.
- 47. The attending psychologist noted that the entire family expressed feelings of "horror and hopelessness at the time of the injury, significant re-experiencing and intrusive thoughts, negative emotions and hypervigilance."
- 48. On or about November 24, 2021, the attending psychologist performed an Acute Stress Checklist on A.W. and noted that A.W.'s score of eleven (11) indicated that A.W. was suffering from "significant" stress.

- 49. The same psychologist assessed A. W.'s Dermatological Life Quality Index score of fifteen (15) as having a "very large" effect on her skin and life quality and assessed Plaintiff Tamara Walters for PTSD and noted that her score of twenty-three(23) meant that she was suffering from "clinically elevated" PTSD.
- 50. The psychologist recommended psychological treatment for the entire family.
- 51. On or about November 30, 2021, A.W. began experiencing heart racing.
- 52. As a result, A.W. was taken to Waldorf Pediatrics, in Waldorf, MD.
- 53. The treating physician related the heart racing to anxiety related to this incident and suggested that the child psychologist be informed.
- 54. On or about December 1, 2021, A.W. returned to CNHBU and CNHBPU to have her injuries debrided and discuss triggers, avoidance, A.W's fear of returning to school and hypervigilance.
- 55. Over the next eleven (11) months, A.W. was treated for first and second degree burns, PTSD, fear or water, fear or returning to restaurants, heightened acoustic startle, anxiety, hypervigilance, body imaging and chronic pain relating to the incident.
- 56. A.W., an honor roll student at the time of this incident, missed several days of school and her grades declined.
- 57. Plaintiff Tamara Walters also received treatment for PTSD, anxiety and stress.
- 58. At no time did any Plaintiff cause or create this incident.
- 59. The Plaintiffs were free of negligence relating to this incident.
- 60. As a result of the preceding facts, the Plaintiffs, were significantly harmed and suffered significant losses.

COUNT ONE-PREMISES LIABILITY

- 61. Plaintiffs, reallege and incorporate by reference all those facts and allegations in paragraphs 1 through 60 and further alleges:
- 62. The Plaintiffs were Invitees of Defendant.
- 63. The Defendant owed the Plaintiff's, as Invitee's of the Defendant, a duty of reasonable and ordinary care to protect them from potential harm in the Defendant's restaurant.
- 64. The Defendant breached that duty by failing to protect the Plaintiff's from potential harm of the employee using and spilling extremely hot water onto A.W..
- 65. As a direct and proximate cause of the Defendant's breach, A.W. suffered and continues to suffer significant physical injuries, severe emotional distress, mental anguish, past pain and suffering and future pain and suffering, past medical expenses, loss and enjoyment of life and future medical expenses.
- 66. As a direct and proximate cause of the Defendant's breach, Plaintiff's Chino Walters, Tamara Walters, I.W. and C. W. suffered substantial emotional distress, mental anguish, medical expenses, loss and enjoyment of life and loss of wages.
- 67. All the above damages were directly and proximately caused by the Defendant and/or its employees and were incurred without any contributory negligence on the part of Plaintiff, or an opportunity for Plaintiff to avoid the incident.

WHEREFORE, plaintiff respectfully requests a judgment against the defendant in excess of Seventy-Five Thousand Dollars (\$75,000.00)

COUNT II-NEGLIGENCE

- 68. Plaintiffs reallege and incorporates by reference all those facts and allegations in paragraphs 1 through 67 and further alleges:
- 69. Defendant owed a duty of reasonable care to Plaintiffs to protect them from known dangerous conditions in the Defendant restaurant.
- 70. Defendant breached that duty by not protecting the Plaintiffs from the extremely hot kettle of water spilled onto A.W..
- 71. As a direct and proximate cause of Defendant's breach, the Plaintiffs suffered significant physical injuries, severe emotional distress, mental anguish, past pain and suffering and future pain and suffering, past medical expenses, loss and enjoyment of life, loss of wages and future medical expenses.

WHEREFORE, plaintiff respectfully requests a judgment against the defendant in excess of Seventy-Five Thousand Dollars (\$75,000.00)

COUNT III-INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

- 72. Plaintiffs reallege and incorporates by reference all those facts and allegations in paragraphs 1 through 71 and further alleges:
- 73. The Defendant's employee's conduct of caring a hot kettle of water in a manner that was unsecured was reckless.
- 74. Such conduct was extreme and outrageous given the probability of injury to the Plaintiffs, whose movement was restricted by being cornered in a booth at the Defendant's restaurant.

75. The Defendant's employee's conduct was the direct and proximate cause of the severe and extreme emotional distress suffered by the Plaintiffs.

WHEREFORE, plaintiff respectfully requests a judgment against the defendant in excess of Seventy-Five Thousand Dollars (\$75,000.00)

DEMAND FOR JURY TRIAL

Plaintiff demands a jury trial as to all issues raised herein.

Respectfully Submitted,

/s/ Gregory R. Singleton
Law Office of Gregory R. Singleton LLC
Gregory R. Singleton, Esq.
CPF No. 0710230001
5827 Allentown Road
Camp Springs, MD 20746
(240) 252-2072 P
(240) 252-2073 F
gs@gsingleton.com
Attorney for Plaintiffs

IN THE CIRCUIT COURT FOR Baltimore City

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CIVIL - N		SE INFORMATION RE	EPORT
Clerk of Court unless your Appeals pursuant to Rule 2 Defendant: You must fi	case is exempted from the -111(a). le an Information Report a	eted and attached to the come requirement by the Chief June 19 required by Rule 2-323(h)	adge of the Court of). AS A PLEADING
FORM FILED BY: XPLA	INTIFF □DEFENDAN	IT CASE NUMBER	C-24-CV-24-000356
CASE NAME: Chino Walt	ers and Tamara Walters Plaintiff	vs. The Cheesecake	Factory Restaurants, Inc.
PARTY'S NAME: Chino a	nd Tamara Walters	PHON	VE:
PARTY'S NAME: Chino at PARTY'S ADDRESS: 988	9 Frankfurt Drive, Waldor	f, MD 20603	
PARTY'S E-MAIL:			
If represented by an attor	rnev:		
PARTY'S ATTORNEY'S	NAME: Gregory Singleton	PHON	_{IE:} 240-252-2072
PARTY'S ATTORNEY'S	ADDRESS 5827 Allentow	n Road, Camp Springs, MD	20746
PARTY'S ATTORNEY'S I	F_MAII · gs@gsingleton.c	om	
JURY DEMAND? Yes			
3		, Case #(s), if known:	
ANTICIPATED LENGT		^ '	
ANTICIFATED LENGT	PLEADIN		
New Case: Original		ve Appeal	
New Case: Original Existing Case: Post-Jud		ve Appear	
If filing in an existing case	kin Case Category/ Subcates	gory section - go to Relief secti	ion.
		SUBCATEGORY (Check	
TORTS	Government		☐ Constructive Trust
Asbestos Assault and Battery Business and Commercial Conspiracy Conversion Defamation False Arrest/Imprisonment Fraud Lead Paint - DOB of Youngest Plt: Loss of Consortium Malicious Prosecution Malpractice-Medical Malpractice-Medical Misrepresentation Misrepresentation Motor Tort Negligence Nuisance Premises Liability Product Liability Specific Performance Toxic Tort Trespass Wrongful Death	Adverse Possession Breach of Lease	☐ Bond Forfeiture Remission ☐ Civil Rights ☐ County/Mncpl Code/Ord ☐ Election Law ☐ Eminent Domain/Condemn. ☐ Environment	☐ Dist Ct Mtn Appeal ☐ Financial ☐ Grand Jury/Petit Jury ☐ Miscellaneous ☐ Perpetuate Testimony/Evidence ☐ Prod. of Documents Req. ☐ Receivership ☐ Sentence Transfer ☐ Set Aside Deed ☐ Special Adm Atty ☐ Subpoena Issue/Quash ☐ Trust Established ☐ Trustee Substitution/Removal ☐ Witness Appearance-Compel PEACE ORDER ☐ Peace Order EQUITY ☐ Declaratory Judgment ☐ Equitable Relief ☐ Injunctive Relief ☐ Mandamus
CONTRACT Asbestos Breach Business and Commercial Confessed Judgment (Cont'd) Construction Debt Fraud	☐ Mechanic's Lien ☐ Ownership ☐ Partition/Sale in Lieu ☐ Quiet Title ☐ Rent Escrow ☐ Return of Seized Property ☐ Right of Redemption ☐ Tenant Holding Over	INDEPENDENT PROCEEDINGS Assumption of Jurisdiction	☐ Maryland Insurance Administration ☐ Miscellaneous

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		RELIEF (Check All that	
Abatement Administrative Action Appointment of Receiver Arbitration Asset Determination Attachment b/f Judgment Cease & Desist Order Condemn Bldg Contempt Court Costs/Fees Damages-Compensatory Damages-Punitive	☐ Findings of Fact ☐ Foreclosure ☐ Injunction ☐ Judgment-Affidavit ☐ Judgment-Confessed ☐ Judgment-Consent ☐ Judgment-Declarator ☐ Judgment-Default	☐ Judgment-Summary ☐ Liability ☐ Oral Examination ☐ Order ☐ Ownership of Property ☐ Partition of Property ees ☐ Peace Order ☐ Possession ☐ Production of Records y ☐ Quarantine/Isolation O ☐ Reinstatement of Empl	☐ Writ-Garmsn wages ☐ Writ-Habeas Corpus ☐ Writ-Mandamus ☐ Writ-Possession order oyment
If you indicated Liability ab may not be used for any pur			not an admission and
☐Liability is conceded. ☐Lial	bility is not conceded, but i	s not seriously in dispute. 🗆 Lia	bility is seriously in dispute.
MONETARY DAM	IAGES (Do not include	Attorney's Fees, Interest,	or Court Costs)
☐ Under \$10,000 ☐ 5	\$10,000 - \$30,000	□ \$30,000 - \$100,000	Over \$100,000
□ Medical Bills \$	D Wage Loss \$	Property	Damages \$
ALTER	NATIVE DISPUTE R	ESOLUTION INFORMAT	TION
Is this case appropriate for A. Mediation Yes B. Arbitration Yes	referral to an ADR proce □No □No	ess under Md. Rule 17-101? C. Settlement Confe D. Neutral Evaluation	rence ⊠ Yes □No
	SPECIAL RE	QUIREMENTS	
☐ If a Spoken Language In	terpreter is needed, chec	k here and attach form CC	C-DC-041
☐ If you require an accommendate in the comment of	nodation for a disability CC-DC-049	under the Americans with D	isabilities Act, check
		NGTH OF TRIAL	
With the exception of Baltin	more County and Baltin	nore City, please fill in the	estimated LENGTH OF
TRIAL.	(Case will be trac		
1	of trial or less	🗷 3 days of trial time	
☐ 1 day or	f trial time	☐ More than 3 days of	trial time
☐ 2 days o	of trial time		
BUSINESS A	AND TECHNOLOGY	CASE MANAGEMENT P	ROGRAM
For all jurisdictions, if Bus attach a du	siness and Technology tro uplicate copy of complain	ack designation under Md. R nt and check one of the track.	Pule 16-308 is requested, s below.
· •	Frial within 7 months of ndant's response	☐ Standard - Trial wi Defendant's	
	EMERGENCY RE	ELIEF REQUESTED	

COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE MANAGEMENT PROGRAM (ASTAR)					
FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.					
	☐ Expedited - Trial within 7 months of Defendant's response ☐ Standard - Trial within 18 months of Defendant's response				
IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY, PLEASE FILL OUT THE APPROPRIATE BOX BELOW.					
	CIRCUIT C	OURT FOR BALTIN	IORE CITY (CHECK ONLY ONE)		
	☐ Expedited Trial 60 to 120 day.		s from notice. Non-jury matters.		
X	Civil-Short	Trial 210 days fro	Trial 210 days from first answer.		
	Civil-Standard	Trial 360 days fro	m first answer.		
	Custom	Scheduling order	entered by individual judge.		
	Asbestos	Special schedulin	g order.		
	Lead Paint	Fill in: Birth Date	of youngest plaintiff		
	Tax Sale Foreclosus	res Special schedulin	g order.		
l <u> </u>		ares No scheduling ord	ler.		
<u> </u>	C	IRCUIT COURT FO	R BALTIMORE COUNTY		
T)	Expedited rial Date-90 days)		gment, Declaratory Judgment (Simple), s, District Court Appeals and Jury Trial Prayers, on, Mandamus.		
(Trial Date-240 days) Related Cases, Fraud an		Related Cases, Fraud a	sed Judgments (Vacated), Contract, Employment nd Misrepresentation, International Tort, Motor Tort, Workers' Compensation Cases.		
(Trial Date-345 days) Pers		Personal Injury Cases	bestos, Lender Liability, Professional Malpractice, Serious Motor Tort or rsonal Injury Cases (medical expenses and wage loss of \$100,000, expert d out-of-state witnesses (parties), and trial of five or more days), State solvency.		
(T	Complex rial Date-450 days)	Class Actions, Designa Product Liabilities, Other	ated Toxic Tort, Major Construction Contracts, Major ner Complex Cases.		
	05/16/	<i>'</i> 24	/s Gregory R. Singleton		
	Date	,	Signature of Counsel / Party		
·	5827 Allento Addre		Gregory R. Singleton		
Cam	p Springs	MD 20746	Printed Name		
	City	State Zip Code			